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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,058	08/26/2003	John Yates	31104-6	2933

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Woodard, Emhardt, Moriarty, McNett & Henry LLP
Bank One Center/Tower
111 Monument Circle, Suite 3700
Indianapolis, IN 46204-5137

EXAMINER

RODRIGUEZ, RUTH C

ART UNIT	PAPER NUMBER
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3677

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/648,058	Applicant(s) YATES, JOHN	
	Examiner Ruth C. Rodriguez	Art Unit 3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 June 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| <p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date <u>6/12/2007</u>.</p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application</p> <p>6) <input type="checkbox"/> Other: _____</p> |
|---|---|

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08 June 2007 has been entered.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 12 June 2007 has been considered by the examiner.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 and 11-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Mullane (US 510,358).

A safety belt web adjuster (A,C) comprises a first horizontal member (a'), a second horizontal member (a), a first vertical member (b), a second vertical member (b), a first ear (b2), a second ear (b2) and a third horizontal member (c). The first horizontal member has first and second ends (Figs. 1, 2 and 4-6). The second horizontal member has third and fourth ends (Figs. 1, 2 and 4-6). The first vertical member has a top surface and a bottom surface extending between the first and third ends (Figs. 1, 2 and 4-6). The second vertical member has a top surface and bottom surface extending between the second and fourth ends (Figs. 1, 2 and 4-6). The first ear extends away from the junction between the second horizontal member and first vertical member (Figs. 1, 2 and 4-6). The second ear extends away from the junction between the second horizontal member and the second vertical member (Figs. 1, 2 and 4-6). The third horizontal member has a first substantially c-shaped end (between c and c') and a second substantially c-shaped end (between c and c'). The third horizontal member has no teeth or knurling (Figs. 1, 2 and 4-6). The first substantially c-shaped end engages the first vertical member around the top and bottom surfaces (Figs. 1, 2 and 4-6). The second substantially c-shaped end engages the second vertical member around the top and bottom surfaces (Figs. 1, 2 and 4-6). The third horizontal member is free to slide between the first and second horizontal members (Figs. 1, 2 and 4-6). The first ear and the second ear prevent the third horizontal member from sliding past the second horizontal member (Figs. 1, 2 and 4-6). The third horizontal member can slide

over the first horizontal member while engaging the first and second vertical members(Figs. 1, 2 and 4-6).

Tension on the safety belt generates a clamping force between the third horizontal member and the second horizontal member that substantially prevents movement of the web adjuster on the safety belt unless the clamping force is reduced by rotating the web adjuster at least 45 degrees from an upper/lower plane orientation (Figs. 1, 2 and 4-6).

The position of the web adjuster on the safety belt can be adjusted only if the clamping force is reduced by rotating the web adjuster at least 90 degrees from the upper/lower plane orientation (Figs. 1, 2 and 4-6).

The web adjuster is relatively flat (Figs. 1, 2 and 4-6).

The first and second horizontal members are coplanar and the third horizontal member is not coplanar with the first or second horizontal members (Figs. 1, 2 and 4-6).

The first and second substantially c-shaped ends of the third horizontal member are configured to permit the third horizontal member to move in a direction perpendicular to the plane of the first and second horizontal members (Figs. 1, 2 and 4-6).

5. Claims 2, 3, 18, 20, 21, 23 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by White (US 2,878,540).

A safety belt apparatus (20,21,38,42,43) comprises a web adjuster (20,21), a first web (38) and a second web (42,43). The web adjuster comprises a first horizontal member (25), a second horizontal member (24), a first vertical member (22), a second vertical member (23) and a third horizontal member (28). The first horizontal member

has first and second ends (Figs. 1-14). The second horizontal member has third and fourth ends (Figs. 1-14). The first vertical member has a top surface and a bottom surface extending between the first and third ends (Figs. 1-14). The second vertical member has a top surface and bottom surface extending between the second and fourth ends (Figs. 1-14). The third horizontal member has a first substantially c-shaped end (29) and a second substantially c-shaped end (30) (Figs. 1-14). The substantially c-shaped end engages the first vertical member around both the top and bottom surfaces (Figs. 1-14). The second substantially c-shaped end engages the second vertical member around both the top and bottom surfaces (Figs. 1-14). The third horizontal member is free to slide between the first and second horizontal members (Figs. 1-14). The first web affixed to the first horizontal member and the second web looped around the third horizontal member (Figs. 1-6 and 12). Tension on the second web generates a clamping force between the third horizontal member and the second horizontal member that substantially prevents loosening the web adjuster relative to the second web unless the clamping force is reduced by rotating the web adjuster at least 45 degrees from an upper/lower plane orientation (7-13).

The clamping force between the third horizontal member and the second horizontal member substantially prevents loosening the web adjuster relative to the second web unless the clamping force is reduced by rotating the web adjuster at least 90 degrees from the upper/lower plane orientation (Figs. 7-13).

The first and second substantially c-shaped ends of the third horizontal member are configured to permit the third horizontal member to move in a direction perpendicular to the plane of the first and second horizontal members (Figs. 1-14).

A web adjuster (20,21) comprises a first horizontal member (25), a second horizontal member (24), a first vertical member (22), a second vertical member (23) and a third horizontal member (28). The first horizontal member has first and second ends (Figs. 1-14). The second horizontal member has third and fourth ends (Figs. 1-14). The first vertical member has a top surface and a bottom surface extending between the first and third ends (Figs. 1-14). The second vertical member has a top surface and bottom surface extending between the second and fourth ends (Figs. 1-14). The third horizontal member has a first substantially c-shaped end (29) and a second substantially c-shaped end (30) (Figs. 1-14). The substantially c-shaped end engages the first vertical member around both the top and bottom surfaces (Figs. 1-14). The second substantially c-shaped end engages the second vertical member around both the top and bottom surfaces (Figs. 1-14). The third horizontal member is free to slide between the first and second horizontal members (Figs. 1-14). The third horizontal member is not coplanar with the first and second horizontal members (Figs. 7-13). Tension on the web generates a clamping force on the web between the third horizontal member and the second horizontal member that prevents movement of the web adjuster in the direction that reduces tension on the web unless the clamping force is reduced by rotating the web adjuster at least 45 degrees from an orientation of the web at the location of the web adjuster (Figs. 7-13).

Movement of the web adjuster in the direction that reduces tension on the web can be made only if the clamping force is reduced by rotating the web adjuster at least 90 degrees from the orientation of the web (Figs. 1-14).

The web adjuster is relatively flat (Figs. 1-14)

The first and second substantially c-shaped ends of the third horizontal member are configured to permit the third horizontal member to move in a direction perpendicular to the plane of the first and second horizontal members (Figs. 1-14).

6. Claims 2-10 and 16-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Minolla et al. (US 4,069,554).

A safety belt apparatus (1,3,4,11) comprises a web adjuster (1,11), a first web (3) and a second web (4). The web adjuster comprises a first horizontal member (7), a second horizontal member (having 16), a first vertical member (extending between 7 and 16), a second vertical member (extending between 7 and 16) and a third horizontal member (11). The first horizontal member has first and second ends (Figs. 1-3 and 7). The second horizontal member has third and forth ends (Figs. 1-3 and 7). The first vertical member has a top surface and a bottom surface extending between the first and third ends (Figs. 1-3 and 7). The second vertical member has a top surface and bottom surface extending between the second and fourth ends (Figs. 1-3 and 7). The third horizontal member has a first substantially c-shaped end (29) and a second substantially c-shaped end (30) (Figs. 1-14). The substantially c-shaped end engages the first vertical member around both the top and bottom surfaces (Figs. 1-14). The second substantially c-shaped end engages the second vertical member around both

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the top and bottom surfaces (Figs. 1-14). The third horizontal member is free to slide between the first and second horizontal members (Figs. 1-14). The first web is affixed to the first horizontal member and the second web looped around the third horizontal member (Figs. 1-3). Tension on the second web generates a clamping force between the third horizontal member and the second horizontal member that substantially prevents loosening the web adjuster relative to the second web unless the clamping force is reduced by rotating the web adjuster at least 45 degrees from an upper/lower plane orientation (C. 5, L. 46-50 and Figs. 1-3).

The clamping force between the third horizontal member and the second horizontal member substantially prevents loosening the web adjuster relative to the second web unless the clamping force is reduced by rotating the web adjuster at least 90 degrees from the upper/lower plane orientation (C. 5, L. 46-50 and Figs. 1-3).

The second horizontal member is configured (by 16) to prevent the third horizontal member from sliding past the second horizontal member (Figs. 2 and 3)

One end of the second strap is coupled to a chassis of a racing vehicle (C. 1, L. 6-14).

The first and second horizontal members and the first and second vertical members define an opening in the web adjuster (Figs. 1-3 and 7). The third horizontal member does not enter in the web adjuster (Fig. 3).

A safety belt apparatus (1,3,4,11) comprises a web adjuster (1,11), a first strap (3) and a second strap (4). The web adjuster comprises a). The web adjuster comprises a first horizontal member (7), a second horizontal member (opposite to 7), a

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first vertical member (perpendicular to 7), a second vertical member (perpendicular to 7) and a third horizontal member (11). The first horizontal member has first and second ends (Figs. 1-3 and 7). The second horizontal member has third and forth ends (Figs. 1-3 and 7). The first vertical member has a top surface and a bottom surface extending between the first and third ends (Figs. 1-3 and 7). The second vertical member has a top surface and bottom surface extending between the second and fourth ends (Figs. 1-3 and 7). The third horizontal member has a first substantially c-shaped end (29) and a second substantially c-shaped end (30). The first substantially c-shaped end engages the first vertical member around both the top and bottom surfaces (Figs. 1-13). The second substantially c-shaped end engages the second vertical member around both the top and bottom surfaces (Figs. 1-13). The third horizontal member is free to slide between the first and second horizontal member (Figs. 1-3). The configuration (16) of the second horizontal member prevents the third horizontal member from sliding past the second horizontal member (Figs. 1-3). The first horizontal member fits through the first and second substantially c-shaped ends of the third horizontal member (Figs. 1-3). The first strap is affixed to enclose around the first horizontal member (Figs. 1-3). The second strap is girded around the third horizontal member (Figs. 1-3).

The third horizontal member has a substantially rectangular cross section that is substantially uniform between the first and second substantially c-shaped ends (Figs. 1-6 and 10-13).

The web adjuster is substantially flat (Figs. 1-3).

The first and second vertical members and the first and second horizontal members are coplanar and the third horizontal member is not coplanar with the first and second vertical members and the first and second horizontal members (Fig. 3).

Tension on the second strap generates a clamping force on the second strap between the third horizontal member and the second horizontal member that substantially restrains the web adjuster in position relative to the second strap unless the clamping force is reduced by rotating the web adjuster at least 45 degrees from a relative upper/lower plane orientation (C. 5, L. 46-50 and Figs. 1-3).

The adjuster is restrained in position relative to the second strap unless the clamping force is reduced by rotating the web adjuster at least 90 degrees from the relative upper/lower plane orientation (C. 5, L. 46-50 and Figs. 1-3).

One end of the second strap is coupled to a chassis of a racing vehicle (C. 1, L. 6-14).

A web adjuster (1,11) a first horizontal member (7), a second horizontal member (opposite to 7), a first vertical member (perpendicular to 7), a second vertical member (perpendicular to 7) and a third horizontal member (11). The first horizontal member has first and second ends (Figs. 1-3 and 7). The second horizontal member has third and fourth ends (Figs. 1-3 and 7). The first vertical member has a top surface and a bottom surface extending between the first and third ends (Figs. 1-3 and 7). The second vertical member has a top surface and bottom surface extending between the second and fourth ends (Figs. 1-3 and 7). The third horizontal member has a first substantially c-shaped end (29) and a second substantially c-shaped end (30). The first

substantially c-shaped end engages the first vertical member around both the top and bottom surfaces (Figs. 1-13). The second substantially c-shaped end engages the second vertical member around both the top and bottom surfaces (Figs. 1-13). The third horizontal member is free to slide between the first and second horizontal member (Figs. 1-3). The third horizontal member is not coplanar with the first and second horizontal members (Fig. 3). Tension on the web generates a clamping force on the web between the third horizontal member and the second horizontal member that prevents movement of the web adjuster in the direction that reduces tension on the web unless the clamping force is reduced by rotating the web adjuster at least 45 degrees from an orientation of the web at the location of the web adjuster (C. 5, L. 46-50 and Figs. 1-3).

Movement of the web adjuster in the direction that reduces tension on the web can be made only if the clamping force is reduced by rotating the web adjuster at least 90 degrees from the orientation of the web (C. 5, L. 46-50 and Figs. 1-3).

The third horizontal member cannot slide past the second horizontal member (due to member 16 shown in Fig. 3). The third horizontal member can slide over the first horizontal member (Fig. 3).

The web adjuster is substantially flat (Figs. 1-3).

The first and second substantially c-shaped ends of the third horizontal member are configured to permit the third horizontal member to move in a direction perpendicular to the plane of the first and second horizontal members (Figs. 1-3).

Response to Arguments

7. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hartshorn (US 62,485), Muller (US D15,788), Domkee (US 1,894,856), Elwell (US 2,497,401), Finken et al. (US 2,919,481), Burford et al. (US 3,226,786), Gaylord (US 3,293,713), Wright (US 3,375,558), Farlind (US 3,975,800), Muller (US 4,392,277), Sunesson (US 4,398,321), Bost (US 4,445,709), Mader et al. (US 4,848,794), Kitokovsky (US 4,878,271), Kotitovsky et al. (US 4,878,272), Kasai (US 4,903,378), Prentkowski (US 4,962,572), Kasai (US 5,033,171), Kawamura (US 5,309,606) and Chang 5,600,875) are cited to show state of the art with respect to buckles having a sliding member and some of the features being claimed by the current application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth C Rodriguez whose telephone number is (571) 272-7070. The examiner can normally be reached on M-F 07:15 - 15:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075.

Responses submitted by facsimile transmission should include a Certificate of Transmission (MPEP § 512). The following is an example of the format the certification might take:

(Signature)

If your response is submitted by facsimile transmission, you are hereby reminded that the original should be retained as evidence of authenticity (37 CFR 1.4 and MPEP

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§ 502.02). Please do not separately mail the original or another copy unless required by the Patent and Trademark Office. Submission of the original response or a follow-up copy of the response has been transmitted by facsimile will cause further unnecessary delays in the processing of your application, duplicate responses where fees are charged to a deposit account may result in those fees being charged twice.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-6640.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ruth C. Rodriguez
Patent Examiner
Art Unit 3677

/James R. Brittain/
Primary Examiner
Art Unit 3677

rcr
June 24, 2007